relating to safeguards provided for linguistic minorities and report to the President upon these matters at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament. The Commissioner for Linguistic Minorities, who took charge of his post only on 16.10.1996, presented the 33rd Report on Linguistic Minorities to the Government. This covers the period from July, 1992 to June, 1993 and is not the Report of CLM in terms of Article 350 B (2) of the Constitution. However, in view of its public importance, it has been decided to solicit the approval of President of India to place the copies of the Report on Table of both the Houses of Parliament.

(b) A number of recommendations on matters relating to safeguards provided to Linguistic Minorities have been made in the 33rd Report. After placement of the Report on Table of both the Houses of Parliament, these will be examined by the Government and refered to the State Governments/Union Territory Administrations for necessary action.

Guidelines to get OBC Certificates

3958. SHRI SOLIPETA RAMACHANDRA REDDY; Will the Minister of WELFARE be pleased to state:

(a) the guidelines laid down for people to get OBC certificates;

(b) the time limit fixed for processing such requests; and

(c) if no time is fixed, the reasons therefor?

THE MINISTER OF WELFARE (SHRI BALWANT SINGH RAMOOWALIA): (a) The guidelines for issuing the OBC Certificate has been circulated to all State Governments/Union Territory Administrations as at Statement *(See* below).

(b) and (c) No time limit has been fixed as such, sincfr issuance of OBC Certificate falls under the purview of the respective State Governments and Union Territory Administrations, they are expected to issue these certificates in the shortest possible time after conducting necessary investigations.

Statement

Guidlines for issuing OBC Certificates No. 36012/22/93-Estt. (SCT)

भारत सरकार

GOVERNMENT OF INDIA

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

MINISTRY OF PERSONNEL PUBLIC GRIEVANCES AND PENSIONS

कार्मिक और प्रशिक्षण विभाग

DEPARTMENT OF PERSONNEL & TRAINING

नई दिल्ली

NEW DELHI

Dated the 15th Nov. 1993

To

The Chief Secretaries of all the State Governments/Union Territories.

Sub: Reservation for Other Backward Classes—exclusion of Creamy Layer for the purpose of appointment in services and posts under the Government of India—Certificate to be produced by the candidates.

Sir,

I am directed to say that the Government of India has issued instructions on 8.9.93 providing for reservation to Other Backward Classes in the services and posts under the Government of India (A copy of this O.M. is enclosed). The Other Backward Classes for the purpose of the above said reservation would comprise, in the first phase, the castes and communities which are common to both the lisXs in the report of the Mandal Commission and the State Government's list. A list of such castes and communities was notified in Resolution No. 12011/68/93-BCC(C), dated 10th Sept. 1993 published in the Gazette of India, Extraordinary Part I Section I dated 13.9.93. For the purpose of verification of the castes and communities the Government of India has prescribed a certificate from the following authorities as in the case of SC/ST vide this Department's O.M. No. 36012/22/93-Estt. (SCT), dated 22.10.93 (copy enclosed):

(a) District Magistrate/Additional District Magistrate/Collector/Deputy Commissioner/ Additional Deputy Commissioner/Deputy Coliector/lst class Stipendary Magistrate/Sub-Divisional Magistrate/Taluka Magistrate/ hxcutive Magistrate/Extra Assistant Commissioner (not below the rank of 1st Class Stipendary Magistrate).

(b) Chief Presidency Magistrate/ Additional Chief Presidency Magistrate/ Presidency Magistrate.

(c) Revenue Officer not below the rank of Tehsildar; and

(d) Sub-Divisional Officer of the area where
the candidate and/or his family normally resides.

2. In the light of the Supreme Court's judgement in the Indira Sawhney case, this Department has specified the persons/section ("Creamy Layer") to whom the benefit of reservation shall not apply vide column 3 of the Schedule to the Department of Personnel and Training O.M. N. 36012/22/93-Estt. (SCT), dated 8.9.93. It has been considered that the same authorities who are notified as competent to cerfity OBCs status should also be authorised to cerfity that a candidate does not belong to the "Creamy Layer". It is, therefore, requested that instructions may be issued to the District Authorities under your control to verify and issue the necessary certificate to the candidates regarding his OBCs status as well as exclusion from the "creamy layer". To enable the District Authorities to examine the claims of the candidates a model format has been devised as in Annexure B. This may be suitably revised if considered necessary. The format of the certificate that may be given by the concerned district authorities may be as in Annexure A.

3. It is also requested that wide publicity may be given to the Ministry of Welfare Resolution No. 1201 l/68/93-BCC(C), dated 10-9-93 published in the Gazette of India/ Extraordinary Part I Section I, dated 13-9-93 containing the list of Backward Castes as well as to DOPTO.M. No. 36012/22/93-Estt. (SCT), dated 8-9-93 which specifies the criteria which will determine the persons who belong to the creamy layer and to whom the reservation shall not apply. This will facilitate the candidates to ascertain their eligibility for reservation. It would also be advisable to appropriately brief the certifying Authorities and to provide them with sufficient number of copies of the above mentioned Gazette Notification and the Deptt. O.M. date 8.9.93 in order to ensure prompt and correct certification.

4. A copy of the orders issued by your Government in this regard may also be endorsed to this Department for information.

Yours faithfully,
sd/-
(Smt. Sarita Prasad),
Joint Secretary to the Government of India.

Annexure A

FORM OF CERTIFICATE TO BE RODUCED BY OTHER BACKWARD CLASSES APPLYING FOR APPOINTMENT OF POSTS UNDER THE GOVERNMENT OF INDIA

This is to certify that .....
son of .....
of village .....
District/Division.....
in the .....
State .....
belongs to the .....
community which is recognised as a backward class under the Government of India, Ministry of Welfare Resolution No. 12011/6*8/93-BCC(C), dated 10th Sept. 1993 published in the Gazette of India Extraordinary Part I Section I dated 13th Sept. 1993.

Shri..... and/or his family ordinarily reside(s) in the .....
District/Division of the.....
State. This is also to certyfy that he/she does not belong to the persons/sections (Creamy Layer) mentioned in column 3 ofthe Schedule to the Government of India, Department of Personnel & Training O.M. No. 36012/22/93-Estt. (SCT). dated 8.9.93.

District Magistrate,

Deputy Commissi ner etc.

Dated:

Seal _____

NB: (a) The term 'ordinarily' used here will have the same meaning as in Section 20 of the Representation ofthe People Act, 1950.

(b) Where the certificates are issued by Gazetted Officers of the Union Government or State Governments, they should be in the same form but *countersignedby* the District Magistrate or Deputy Commissioner (Certifiates issued by Gazetted Officers and attested by District Magistrate/Deputy Commissioner are not sufficient).

ANNEXURE B

APPLICATION FORM FOR A CERTIFICATE FOR ELIGIBILITY FOR RESERVATION OF JOBS FOR OTHER BACKWARD CLASSES IN CIVIL POSTS AND SERVICES UNDER GOVERNMENT OF INDIA.

(This form, however, should be used only as a model. Additional items, if necessary, may be incorporated to suit to the local situation in the form).

To

_____

_____

_____

Sir,

I request that a certificate in respect of reservation for Other Backward Classes in Civil Posts and Services under Government of India be granted to me.

I give below the necessary particulars:—

1. Full Name of the applicant: (in Block letters).
2. Date of birth:
3. Complete Residential Address :

   (a) Present

   (b) Permanent

4. Religion :
5. Caste :
6. Sub-caste :
7. Occupational Group :
8. Serial Number of the Caste in the Central List of OBCs.
9. Name of Father:
10. Name of Mother :
11. Name *ot* Husband :
12. Status of Parent (sVHusband

Father Mother

(A) Constitutional Posts. (I)

Designation

(B) Government Services.

(i) Service (Central/State)

(ii) Designation

(iii) Scale of Pay, including classification, if any,

(iv) Date of appointment to the post

(v) Age at the time of promotion to Class I Post (if applicable)

II. Employment in International Organisation e.g. UN.

UNICEF, WHO

(i) Name of Organisation

(ii) Designation

(iii) Period of service

(indicate date from .....to .....).

III. Death/Permanent Incapacitation (Omit if not applicable).

(i) Date of death/Permanent

incapacitation putting an officer out of service.

(ii) Details of Permanent incapacitation.

(C) Employment in Public Sector Undertakings etc.

(i) Name of Organisation

iii) Designation

(iii) Date of appointment to the Post.

(D) Armed Forces including Para military Forces

(This will not include persons holding civil posts.)

(i) Designation.

(ii) Scale of Pay.

(E) Professional class (other than these covered in item Nos. B & C) and those engaged in trade, Business and Industry.

(i) Occupation/Profession.

(F) Property-Owners

(F) 1. Agricultural Land Holding: owned by mother, father & minor children.

(i) Location.

(ii) Size of holding

(iii) (a) Irrigated

(Type of irrigated land).

(i)

(ii)

(iii)

(b) Unirrigated.

To be certified by District Revenue Officer not lower than the rank of Tehsildar.

(iv) Percentage of irrigated land holding to statutory ceiling limit under State land Ceiling laws.

(v) If land holding is both irrigated/ unirrigated total irrigated land holdings on the basis of conversion formula in State land Ceiling law.

(vi) Percentate of total irrigated land holding to statutory ceiling limit as per. (iv).

(F) II. Plantation :

(i) Crops/Fruit. (ii)

Location (iii) Area of

Plantation.

(F) III.Vacant land and/or building in urban areas or urban agglomeration.

(i) Location of Property. (i i)

Detai 1 s of Property, (iii) Use

to which it is put.

(G) Income/Wealth.

(i) Annual family income from all sources

(excluding salaries & income from agricultural land.)

(ii) Whether Tax Payer (Yes/No).

(If yes, a copy of the last three years return be furnished).

(iii) Whether covered in Wealth Tax Act

(Yes/No).

(if so furnish details)

13. Any other remarks.

14. I certify that above said particulars are true to the best of my knowledge and belief and that I do not belong to the Creamy Layer of OBCs and eligible to be considered for posts reserved for OBCs. In the event of any information being found false or incorrect, or ineligibility being detected before or after the selection, I understand that my candidature/ appointment is liable to be cancelled and I shall be liable to such further action as may be provided under the law and/or Rules.

Yours faithfully,

Place : Signature of the candidate.

Date :

Immediate

No. 36012/22/93-Estt. (SCT)

भारत सरकार

GOVERNMENT OF INDIA

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

MINISTRY OF PERSONNEL PUBLIC GRIEVANCES AND PENSIONS

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DEPARTMENT OF PERSONNEL & TRAINING

नई दिल्ली

NEW DELHI

Dated the 15th Nov., 1993

Sub: Reservation for Other Backward Classes in Civil Posts and Services under the Government of India regarding.

The undersigned if cted to refer to paragraph 5 of this Dep ",nt's O.M. of even number dated 22.10.93 wu. :in the authorities competent to issue certificate for the purpose of verification of the castes/communities have been indicated for the purpose of giving the benefit of reservation to Other Backward Classes in Civil services and posts under the

Government of India. It has now been decided that the same authorities which are notified as competent to certify OBCs status should also be authorised to certify that the candidate in question does not belong to the persons/section (creamy layer) mentioned in column 3 of the Schedule to this Department's O.M. of even number dated 8.9.93. A modal form of certificate to be furnished by the candidates from the authorities mentioned at part 5 of O.M. dated 22.10.93 is enclosed at Annexure A. This certificate may be accepted by the Ministries, Departments etc. for the purpose of giving the benefit of reservation to Other Backward Classes.

(Sd/)

(M. Venkataraman)

Under Secretary to the Government of India

To

1. All Ministries/Departments of the Govt, of India.
2. Department of Public Enterprises, New Delhi.
3. Department of Economic Affairs (Banking Division), New Delhi.
4. Department of Economic Affairs (Insurance Division), New Delhi.
5. UPSC, New Delhi with reference to their No. F. 22/31/92-E(l)B, dated 3.11.93.
6. SSC, New Delhi with reference to their No. 1/77/90-P&P, dated 1.11.93.
7. Ministry of Welfare, New Delhi (Smt. Manjula Krishnan, Director), New Delhi.

Annexure A

Form of Certificate to be produced by Other Backward Classes applying for appointment to posts under the Government of India.

This is to certify that ..... son of ..... o f village ..... District/Division ..... in the ..... State ..... belongs to the..... community which is recognised as a backward class under the Government of India, Ministry of Welfare Resolution No. 12011/68/93-BCC(C), dated 10th Sept. 1993 published in the Gazette of India Extraordinary Part I Section I dated 13th Sept, 1993. Shri..... ..... and/or his family ordinarily reside(s) in the ..... District/ Division of the ..... State. This is also to certify that he/she does not belong to the persons/sections (Creamy Layer) mentioned in column 3 of the Schedule to the Government of India, Department of personnel & Training O.M. No. 36012/22/93-Estt, (SCT), dated 8.9.93.

District Magistrate,

Deputy Commissioner etc.

Dated :

Seal

NB

(a) The term 'ordinarily' used here will have the same meaning as in Section 20 of the Representation of the Peoples Act, 1950. by Gazetted Officers and attested by District Magistrate/Deputy Commissioner are not sufficient.

12.00 Noon

[The Deputy Chairman *in the Chair]*

STATEMENT BY MINISTER

Correcting the reply given in Rajya Sabha on 27th February, 1997 to Unstarred Question 699 regarding Petrol from HERBS

THE MINISTER OF STATE OF THE MINISTRY OF PLANNING AND PROGRAMME IMPLEMENTATION AND MINISTER OF STATE OF THE MINISTRY OF SCIENCE AND TECHNOLOGY (SHRI YOGINDER K. ALAGH): Madam, I lay on the Table, a statement (in English and Hindi) correcting the reply given in the Rajya Sabha on the 27th February, 1997 to the Unstarred Question 699 regarding Petrol from HERBS.

[Placed in Library, Sec. No. LT/1980/97]